

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

OPTIMORPHIX, INC.,

Plaintiff,

v.

CISCO SYSTEMS, INC.,

Defendant.

Civil Action No. 5:23-cv-126-RWS-JBB

JURY TRIAL DEMANDED

OPTIMORPHIX, INC.,

Plaintiff,

v.

AMAZON.COM, INC. AND AMAZON WEB
SERVICES, INC.,

Defendants.

Civil Action No. 5:23-cv-123-RWS-JBB

JURY TRIAL DEMANDED

OPTIMORPHIX, INC.,

Plaintiff,

v.

CA, INC.,

Defendant.

Civil Action No. 5:23-cv-134-RWS-JBB

JURY TRIAL DEMANDED

OPTIMORPHIX, INC.,

Plaintiff,

v.

MICROSOFT CORPORATION,

Defendant.

Civil Action No. 5:23-cv-150-RWS-JBB

JURY TRIAL DEMANDED

OPTIMORPHIX, INC.,

Plaintiff,

v.

F5, INC.

Defendant.

Civil Action No. 5:24-cv-26-RWS-JBB

JURY TRIAL DEMANDED

JOINT MOTION TO CONTINUE SCHEDULING CONFERENCE

Plaintiff OptiMorphix, Inc. (“OptiMorphix” or “Plaintiff”) and Defendants Cisco Systems, Inc. (“Cisco”); Amazon.com, Inc.; Amazon Web Services, Inc.; Amazon.com Services LLC (collectively, “Amazon”); CA, Inc. (“CA”); Microsoft Corporation (“Microsoft”); and F5, Inc. (“F5”), hereafter Plaintiff and Defendants collectively referred to as “the Parties,” file this Joint Motion to Continue Scheduling Conference and show the Court as follows:

Pursuant to this Court’s April 24, 2024 Order (Dkt. 32 in C.A. No. 5:23-cv-123), these cases are currently set for a Scheduling Conference on May 6, 2024. The Parties respectfully request the Court continue the scheduling conference by approximately one month to a date and time in early June convenient for the Court. Good cause exists to continue the scheduling conference because the Parties believe additional time is needed to coordinate and meet and confer regarding the Parties’ proposals relating to the case schedule, protective order, and discovery issues.

The Parties are not seeking an Order changing the *Markman* Hearing, dispositive motion deadline, pre-trial conference, or trial dates provided in the Court’s April 24 Order. (Dkt. 32 at 3-4 in C.A. No. 5:23-cv-123.) The Parties have agreed to incorporate those dates into the proposed Docket Control Order they are presently negotiating. Instead, the present Joint Motion only seeks to continue by approximately one month the Scheduling Conference to provide the Parties additional time to finalize a Joint Conference Report, proposed Docket Control Order, proposed Discovery Order, proposed Protective Order, and a proposed E-Discovery Order prior to the Scheduling Conference.

Wherefore, the Parties respectfully request the Court continue the scheduling conference as stated above.

Dated: April 26, 2024

Counsel for Plaintiff OptiMorphix, Inc.

/s/ Daniel P. Hipskind

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Respectfully submitted,

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CERTIFICATE OF CONFERENCE

The undersigned counsel hereby certifies the Parties met and conferred on the relief requested in this motion, and this motion is joint.

/s/ Daniel P. Hipskind
Daniel P. Hipskind

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that on April 26, 2024, a copy of the foregoing document was served on all counsel who have appeared in this case via CM/ECF.

/s/ Daniel P. Hipskind
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